

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**UNITED STATES OF AMERICA**

**v.**

**5:05-CR-204  
(FJS)**

**JAI BETSY-JONES,**

**Defendant.**

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**APPEARANCES**

**OF COUNSEL**

**OFFICE OF THE UNITED  
STATES ATTORNEY**

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**OFFICE OF THE FEDERAL  
PUBLIC DEFENDER**

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Attorneys for Defendant

**SCULLIN, Senior Judge**

**ORDER**

Defendant challenged proposed modifications to the conditions of his supervised release following his recent release from custody. The Court referred this issue to Magistrate Judge Baxter for a report-recommendation. *See* Dkt. No. 260. On April 28, 2017, Magistrate Judge Baxter held a hearing so that Defendant, with assistance of appointed counsel, could be heard with regard to his objections to the proposed modifications and could present any information in mitigation pursuant to Rule 32.1(c)(1) of the Federal Rules of Criminal Procedure.

On April 28, 2017, Magistrate Judge Baxter issued a Report-Recommendation, in which he

recommended that the Court impose the modifications at issue despite Defendant's objections thereto.

*See generally* Dkt. No. 263. Defendant did not file any objections to this recommendation.

When a party does not object to a magistrate judge's report-recommendation, the court reviews that report-recommendation for clear error or manifest injustice. *See Linares v. Mahunik*, No. 9:05-CV-625, 2009 WL 3165660, \*10 (N.D.N.Y. July 16, 2009) (citation and footnote omitted). After conducting this review, "the Court may 'accept, reject, or modify, in whole or in part, the . . . recommendations made by the magistrate judge.'" *Id.* (quoting 28 U.S.C. § 636(b)(1)(C)).

The Court has reviewed Magistrate Judge Baxter's April 28, 2017 Report-Recommendation for clear error and manifest injustice; and, finding none, the Court hereby

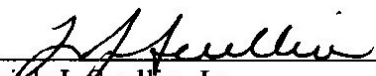
**ORDERS** that Magistrate Judge Baxter's April 28, 2017 Report-Recommendation is **ACCEPTED in its entirety** for the reasons stated therein; and the Court further

**ORDERS** that the conditions of Defendant's supervised release are modified to add the two following conditions:

1. You shall provide the probation officer with access to any requested financial information.
2. You shall submit your person, and any property, house, residence, vehicle, papers, effects, computer, electronic communications devices, and any data storage devices or media, to search at any time, with or without a warrant, by any federal probation officer, or any other law enforcement officer from whom the Probation Office has requested assistance, with reasonable suspicion concerning a violation of a condition of probation or supervised release or unlawful conduct by you. Any items seized may be removed to the Probation Office or to the office of their designee for a more thorough examination.

**IT IS SO ORDERED.**

Dated: May 16, 2017  
Syracuse, New York

  
Frederick J. Scullin, Jr.  
Senior United States District Judge